

**THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

BRIAN GARRETT, et al.,)	
	)	Case No. 2:18-cv-00692
Plaintiffs,)	
	)	Judge Michael H. Watson
v.)	
	)	Chief Magistrate Judge Elizabeth P.
THE OHIO STATE UNIVERSITY,	)	Deavers
)	
Defendant.)	

DR. MARK CHRYSTAL, et al.,)	
	)	Case No. 2:19-cv-05272
Plaintiffs,)	
	)	Judge Michael H. Watson
v.)	
	)	Chief Magistrate Judge Elizabeth P.
THE OHIO STATE UNIVERSITY,	)	Deavers
)	
Defendant.)	

STEVE SNYDER-HILL, et al.,)	
	)	Case No. 2:18-cv-00736
Plaintiffs,)	
	)	Judge Michael H. Watson
v.)	
	)	Chief Magistrate Judge Elizabeth P.
THE OHIO STATE UNIVERSITY,	)	Deavers
)	
Defendant.)	

JAMES KHALIL, et al.,)	
	)	Case No. 2:19-cv-04902
Plaintiffs,)	
	)	Judge Michael H. Watson
v.)	
	)	Chief Magistrate Judge Elizabeth P.
THE OHIO STATE UNIVERSITY,	)	Deavers
)	
Defendant.)	

MOTION FOR STATUS CONFERENCE

Plaintiffs in the above-referenced cases of *Snyder-Hill, et al. v. The Ohio State University*, number 2:18-cv-00736, *Khalil, et al. v. The Ohio State University*, number 2:19-cv-04902, *Garrett, et al. v. The Ohio State University*, number 2:18-cv-00692, and *Chrystal, et al. v. The Ohio State University*, number 2:19-cv-05272 (“Plaintiffs”) hereby request that the Court schedule a telephonic status conference at the earliest practical time. The purpose of the requested conference is to discuss the timeline and procedure for restoring the above-captioned cases to the active docket so that the 172 Plaintiffs represented by these cases can pursue their claims and hold The Ohio State University (“OSU”) accountable. In support of this request, Plaintiffs state the following:

1. On February 24, 2020, Plaintiffs filed a letter with the Court reporting on the stalled mediation process and asking the Court to move forward with their claims. *See Snyder-Hill*, ECF No. 113.
2. On March 6, 2020, OSU announced publicly that it had reached a settlement with the plaintiffs in a subset of later-filed related actions. OSU did not reveal any details about the amount of the settlement. Plaintiffs in the above-captioned cases were not and are not part of this settlement.
3. As of the filing of this motion, there is no negotiation or active mediation between Plaintiffs and OSU. Plaintiffs have no confidence that the settlement reportedly reached with other plaintiffs will do even remote justice to the suffering and betrayal OSU caused.
4. Given these circumstances, Plaintiffs respectfully request a telephonic court conference to set a timeline and process for (i) restoring their respective cases to the active docket; (ii) setting a schedule to permit Plaintiffs in the *Snyder-Hill* and *Garrett* cases leave to amend under Fed. R. Civ. P 15(a)(2), with OSU to respond after that amendment deadline; and (iii) setting a date certain for OSU to respond to

the complaints in the *Khalil* and *Chrystal* cases.

5. Plaintiffs have conferred with Defendant. Defendant stated that it is not participating in this filing and will file a separate response.

DATED: March 16, 2020

Respectfully submitted,

/s/

SCOTT E. SMITH (0003749)
Scott Elliot Smith, LPA
5003 Horizons Drive, Suite 101
Columbus, Ohio 43220
Phone: 614.846.1700
Fax: 614.486.4987
E-mail: ses@sestrialaw.com
E-mail: brn@sestrialaw.com

/s/

Ilann M. Maazel*
Debra L. Greenberger*
Marissa R. Benavides*
EMERY CELLI BRINCKERHOFF
& ABADY LLP
600 Fifth Ave, 10th Floor
New York, NY 10075
Phone: 212-763-5000
Fax: 212-763-5001
E-mail: imaazel@ecbalaw.com
E-mail: dgreenberger@ecbalaw.com

/s/

Adele P. Kimmel*
PUBLIC JUSTICE, P.C.
1620 L Street, NW, Suite 630
Washington, DC 20036
Phone: (202) 797-8600
Fax: (202) 232-7203
E-mail: akimmel@publicjustice.net

* Admitted *pro hac vice*

***COUNSEL FOR SNYDER-HILL AND KHALIL
PLAINTIFFS***

/s/

Simina Vourlis
(Trial Attorney) #0046689
The Law Office of Simina Vourlis
856 Pullman Way
Columbus, OH 43212
(614) 487-5900
(614) 487-5901 fax
svourlis@vourlislaw.com

/s/

Rex A. Sharp
Ryan C. Hudson
Larkin Walsh
Sarah T. Bradshaw
SHARP BARTON, LLP.
5301 W. 75th Street
Prairie Village, KS 66208
(913) 901-0505
(913) 901-0419 fax
rex@sharpbarton.com
ryan@sharpbarton.com
larkin@sharpbarton.com
sarah@sharpbarton.com

Robert Allard
CORSIGLIA, MCMAHON AND ALLARD, LLP
96 North Third Street, Suite 620
San Jose, CA 95112
(408) 289-1417
(408) 289-8127 fax
rallard@cmalaw.net

Jonathan Little
SAEED AND LITTLE, LLP
133 W. Market St. #189
Indianapolis, IN 46204
317-721-9214
jon@slawfirm.com

Stephen Estey
ESTEY & BOMBERGER LLP
2869 India Street
San Diego, CA 92103
619-295-0035
619-295-0172 fax
steve@estey-bomberger.com

Daniel R. Karon (#0069304)
KARON LLC
700 W. St. Clair Ave., Suite 200
Cleveland, OH 44113
Tel.: 216.622.1851
dkaron@karonllc.com

Joseph Sauder
SAUDER SCHELKOPF LLC
555 Lancaster Avenue
Berwyn, PA 19312
(610) 200-0580
(610) 421-1326
jgs@sstriallawyers.com

***COUNSEL FOR GARRETT AND CHRYSTAL
PLAINTIFFS***

CERTIFICATE OF SERVICE

A copy of this document was served by the Court's ECF System on all counsel of record on March 16, 2020, pursuant to Fed. R. Civ. P. 5(b)(2)(E).

/s/ Debra L. Greenberger
Debra L. Greenberger